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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	CLARK ET AL.	Examiner:	J. CHENG
Serial No.:	10/690,335	Group Art Unit:	3713
Filed:	OCTOBER 20, 2003	Docket:	1165.54USC5
Confirmation No.:	2193		
Due Date:	JULY 20, 2004		
Title:	CATEGORIZED DATA ITEM REPORTING SYSTEM AND METHOD		

**CERTIFICATE UNDER 37 CFR 1.8:**  
 I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: , Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 6, 2004.

By: Rebecca Ralls  
 Name: Rebecca Ralls

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**23552**  
 PATENT TRADEMARK OFFICE

Sir:

We are transmitting herewith the attached:

- Transmittal Sheet in duplicate containing Certificate of Mailing
- Terminal Disclaimer To Obviate A Double Patenting Rejection
- Other: Communication
- Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.  
 P.O. Box 2903, Minneapolis, MN 55402-0903  
 612.332.5300

By: Jeffrey P. Cook  
 Name: Jeffrey P. Cook  
 Reg. No.: 48,649  
 JPCOOK:rlr



S/N 10/690,335

PATENT

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By: *Rebecca Ralls*  
Name: Rebecca Ralls

COMMUNICATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants intended to include the terminal disclaimer with the Amendment filed June 2, 2004. However, Applicants believe that the terminal disclaimer was inadvertently omitted from the prior filing. The prior filing included the terminal disclaimer fee.

Date: July 6, 2004

*Jeffrey P. Cobk*  
 \_\_\_\_\_  
 Jeffrey P. Cobk  
 Reg. No. 48,649  
 MERCHANT & GOULD P.C.  
 P. O. Box 2903  
 Minneapolis, Minnesota 55402-0903  
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10/690,335

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**TERMINAL DISCLAIMER TO OBVIATE  
A DOUBLE PATENTING REJECTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Petitioner, NCS Pearson, Inc., a corporation organized and existing under the laws of the State of Minnesota and having its primary place of business at 5601 Green Valley Drive Bloomington, MN 55437, in the county of Hennepin, and the state of Minnesota represents that it is the owner of the entire right, title and interest in U.S. Patent Application Serial No. 10/690,335, filed on October 20, 2003, and entitled CATEGORIZED DATA ITEM REPORTING SYSTEM AND METHOD, by virtue of assignment.


Petitioner, NCS Pearson, Inc., hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application that would extend beyond the expiration date of the full statutory term of U.S. Patent No. 6,159,018 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent Nos. 6,159,018, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors, or assigns.

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the full statutory term as presently shortened by any terminal disclaimer of United States Patent No. 6,159,018, in the event that United States Patent No. 6,159,018: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims cancelled by a reexamination certification, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned is an attorney or agent of record.

Date: \_\_\_\_\_

July 6, 2004

  
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Jeffrey P. Cook  
Reg. No. 48,649  
MERCHANT & GOULD P.C.  
P. O. Box 2903  
Minneapolis, Minnesota 55402-0903  
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